

PHILLIP A. TALBERT
United States Attorney
EMILY G. SAUVAGEAU
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES LANE WINSLETT,

Defendant.

CASE NO. 2:23-CR-00128-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: September 7, 2023
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on September 7, 2023.
2. By this stipulation, defendant now moves to continue the status conference until October 5, 2023, and to exclude time between September 7, 2023, and October 5, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 6,650 pages, including police reports, search warrants, photographs, and additional materials. This discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant desires additional time review the produced discovery and

1 the physical evidence, consult with his client, and otherwise prepare for trial. Specifically, the
2 physical evidence in this case includes firearms and items that the government alleges to be
3 firearm silencers, which remain in law enforcement custody. The government made the physical
4 evidence available for inspection, and defense counsel is scheduled to review this physical
5 evidence on September 6, 2023. Defense counsel will need time to complete applicable research
6 and consult with his client following his review of the physical evidence.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny him/her the reasonable time necessary for effective preparation, taking
9 into account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of September 7, 2023 to October 5,
16 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
17 T4] because it results from a continuance granted by the Court at defendant's request on the basis
18 of the Court's finding that the ends of justice served by taking such action outweigh the best
19 interest of the public and the defendant in a speedy trial.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 29, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ EMILY G. SAUVAGEAU
EMILY G. SAUVAGEAU
Assistant United States Attorney

Dated: August 29, 2023

/s/ TIMOTHY E. WARRINER
TIMOTHY E. WARRINER
Counsel for Defendant
JAMES LANE WINSLETT

ORDER

IT IS SO FOUND AND ORDERED this 30th day of August, 2023.

Dated: August 30, 2023

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE